

AFFIDAVIT OF SERVICE

Index #: 08 CIV 6985

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Date Purchased: August 5, 2008

Date Filed:

Court Date:

COUNTY

ATTORNEY(S): Kathleen A. Zebrowski Esq. : U.S. Attorney's Office - SDNY PH: 212-637-2710
 ADDRESS: 86 Chambers Street New York N.Y. 10007 File No.:

UNITED STATES OF AMERICA,

vs.

GENE MORETTI,

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NASSAU

SS.:

DAVID LEVINE

, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years

of age and resides in New York State. On August 15, 2008 at 1:18 PM

at 11 BRONX RIVER RD APT 3I YONKERS, NY 10704, deponent served the within

Summons and Verified Complaint

with Index Number 08 CIV 6985, and Date Purchased August 5, 2008 endorsed thereon,

on: GENE MORETTI, Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION ☐ By delivering to and leaving with _____ and that deponent knew the person so served to be Managing Agent of the corporation, and authorized to accept service on behalf of the corporation.

Service was made in the following manner after your deponent was unable, with due diligence, to serve the witness/defendant in person, and an attempt to locate the defendant's place of employment.

#3 SUITABLE AGE PERSON ☒ By delivering a true copy of each to MR MORETTI - COTENANT a person of suitable age and discretion. Said premises is recipient's ☐ actual place of business ☒ dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: ☐ actual place of business ☐ dwelling house (place of abode) within the state.

#5 MAIL COPY ☒ On August 18, 2008, deponent completed service under the last two sections by depositing a copy of the Summons and Verified Complaint to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York. Certified Mail No. _____

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called

thereat on the _____ day of _____ at _____
 on the _____ day of _____ at _____
 on the _____ day of _____ at _____
 on the _____ day of _____ at _____

#6 NON-SRVC ☐ After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served because of the following: ☐ Unknown at Address ☐ Evading ☐ Moved left no forwarding ☐ Address does not exist ☐ Other: _____

#7 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:

(use with #1, 2 or 3) Sex Male Color of skin White Color of hair Black Age 21 - 35 Yrs. Height 5' 9" - 6' 0"
 Weight 161 - 200 Lbs. Other Features: _____

#8 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#9 MILITARY SRVC ☒ Deponent asked person spoken to whether the defendant was presently in military service of the United States Government or of the State of New York and was informed that defendant was not.

#10 OTHER ☐

Sworn to before me on this 21 day of August, 2008

BARBARA A. SHURGIN
 NOTARY PUBLIC, State of New York
 No. 30-5004737, Qualified in Nassau County
 Commission Expires November 23, 2010

STEVEN M SHURGIN
 NOTARY PUBLIC, State of New York
 No. 01SH6190498, Qualified in Nassau County
 Commission Expires July 28, 2012

STEPHANIE GALLIGAN
 NOTARY PUBLIC, State of New York
 No. 01GA6190672, Qualified in Nassau County
 Commission Expires July 28, 2012

DAVID LEVINE
 Server's Lic # 0778982
 Work Order # 0837790

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